

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN RE:

ALDEN H. ZUHLKE and  
LISA A. ZUHLKE,

Debtors.

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PHILIP M. KELLY, CHAPTER 7 TRUSTEE,

Plaintiff,

v.

ALDEN H. ZUHLKE, LISA A. ZUHLKE,  
DEREK A. ZUHLKE and KIMBERLY A.  
ZUHLKE, DILLAN A. ZUHLKE and  
MICHELLE L. ZUHLKE,

Defendants.

Case No. BK 24-40267-BSK  
(Chapter 7)

ADV PRO. No. 24-4011

**MOTION TO EXTEND EXPERT  
WITNESS DISCLOSURE DEADLINE  
TO ALLOW FOR COMPLETION OF  
DISCOVERY WITH REGARD TO  
SUNSHINE RANCH CO. AND  
RESOLUTION OF DEFENDANTS'  
MOTION TO STAY CASE**

Defendants, Derek and Kimberly Zuhlke and Dillan and Michelle Zuhlke (collectively referred to as the “Zuhlkes” or “Defendants”) by and through their undersigned counsel, and hereby request an extension of the expert witness disclosure deadline to allow for completion of discovery with regard to Sunshine Ranch Co. and resolution of Defendants’ Motion to Stay Case (Filing No. 66). In support of said Motion, the Zuhlkes state as follows:

1. On November 12, 2024, Plaintiff and the Zulkas (the “Parties”) filed a Joint Preliminary Pretrial Statement in the above-referenced adversary proceeding in which they agreed to disclosure and exchange of all expert reports by February 1, 2025. (Doc. 24). That deadline was subsequently continued by this Court until and including March 15, 2025, as a result of anticipated depositions being taken and third-party Subpoenas that were in the process of being served.

3. By agreement of the Parties, the expert deadline has informally been extended until April 15, 2025.

4. Given information Defendants recently received from Sunshine Ranch Co., it is anticipated that Defendants will obtain an expert to opine as to the value of Debtors' 11% ownership interest in Sunshine Ranch Co.

5. As the Court is aware, on December 16, 2024, Defendants served a Subpoena *Duces Tecum* on Sunshine Ranch Co. seeking certain financial information related to the value of that entity. Sunshine Ranch Co. initially objected to that Subpoena but on March 26<sup>th</sup> the Court entered an Order compelling Sunshine Ranch to comply with the Subpoena. Sunshine Ranch has since produced and continues to produce relevant documents.

6. Plaintiff and Rabo Agrifinance have scheduled a Rule 2004 examination for Sunshine Ranch Co. for April 16, 2025, in which Defendants intend to participate. It is anticipated that testimony regarding Sunshine Ranch Co.'s financial condition and value will be adduced. The information revealed at the 2004 examination will be relevant to the overall value of the entity and will be necessary in order for Defendants' anticipated expert to form his opinion.

7. Further, on April 7, 2025, Defendants filed a *Motion to Stay Case* on the grounds that this case should be stayed until Plaintiff fully liquidates the Debtors' undisputed assets. That Motion is pending, and it is anticipated that it will be resisted by Plaintiff and its counsel. Should that Motion be granted, however, an extension of the expert deadlines will reduce the litigation costs for all parties until it is determined whether in fact this case will proceed.

8. For these reasons, Defendants request that the expert disclosure deadline for all parties be extended until and including May 9, 2025. This would allow the parties to complete

their discovery as to Sunshine Ranch Co. and the Court to rule on Defendants' *Motion to Stay Case*.

9. A trial on this matter is currently scheduled for July 1, 2025, and therefore, no party will be prejudiced by this extension. To confirm, Defendants do not oppose the extension of the expert disclosure deadline extending to all parties in the case.

WHEREFORE Defendants request that the Court extend the deadline for disclosure and exchange of all expert reports until and including May 9, 2025, and grant such other and further relief as may be just and equitable.

DATED this 7<sup>th</sup> day of April, 2025.

DEREK A. ZUHLKE and KIMBERLY A.  
ZUHLKE, and DILLAN A. ZUHLKE and  
MICHELLE L. ZUHLKE Defendants

By: /s/ Lauren R. Goodman

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ATTORNEY FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 7<sup>th</sup> day of April, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all parties of record.

/s/ Lauren R. Goodman

Lauren R. Goodman